

Message Text

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ACTION EA-10

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-03 H-01 INR-07 L-02

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R 140129Z FEB 75

FM AMEMBASSY CANBERRA

TO SECSTATE WASHDC 5062

INFO AMEMBASSY WELLINGTON

AMCONSUL SYDNEY

AMCONSUL MELBOURNE

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E.O. 11652: N/A

TAGS: AS, PFOR

SUBJECT: NSW REPLACEMENT OF FORMER SENATOR MURPHY

REF: (A) CANBERRA 915; (B) SYDNEY 323

1. SUMMARY: CONSEQUENCES OF RESIGNATION OF SENATOR MURPHY AND PROBLEMS REGARDING HIS REPLACEMENT (REFTELS) CONTINUE TO DOMINATE AUSTRALIAN MEDIA, BUT FINAL OUTCOME MAY NOT BE APPARENT UNTIL NEXT WEEK AND POSSIBLY LONGER. WHOLE SEQUENCE OF EVENTS SINCE RESIGNATION HAS SHOWN ALL CONCERNED TO DISADVANTAGE. PRIME MINISTER CLEARLY DID NOT ANTICIPATE PROBLEM ON REPLACEMENT IN SENATE, OPPOSITION LEADER SNEDDEN'S PUBLIC RECOMMENDATION THAT MURPHY BE REPLACED BY LABOR FIGURE HAS BEEN PUBLICLY IGNORED BY NSW PREMIER, AND EPISODE HAS WORSENERED ATMOSPHERE IN PARLIAMENT, WHERE ELECTIONS THIS YEAR CONTINUE TO BE A POSSIBILITY. END SUMMARY.

2. REFTELS REVIEW PROBLEMS ASSOCIATED WITH RESIGNATION OF SENATOR MURPHY AND APPOINTMENT TO HIGH COURT FEB 9 AND ISSUE OF HIS REPLACEMENT IN SENATE. REF B POINTS OUT REPLACEMENT ISSUE UNLIKELY TO BE DECIDED UNTIL AFTER NSW PARLIAMENT RESUMES
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SESSION FEB 19 AND COULD TAKE LONGER. EMBASSY DOES NOT RPT NOT

WISH TO REPORT THIS RELATIVELY TAWDRY EPISODE IN TOO MUCH
DETAIL, BUT CONTROL OF SENATE IS INTIMATELY INVOLVED IN
OUTCOME, AND THERE COULD BE SIGNIFICANT IMPACT ON WHOLE
POLITICAL SITUATION.

3. FOLLOWING MURPHY'S RESIGNATION FEB 9, BALANCE IN SENATE
BECAME 28 ALP, 29 LIBERAL-COUNTRY, AND TWO INDEPENDENTS.
ONLY PARTLY RELATED DEVELOPMENT ON E OF INDEPENDENTS,
SENATOR TOWNLEY, ANNOUNCED FEB 11 THAT HE WAS FORMALLY RE-
JOINING FEDERAL PARLIAMENTARY LIBERAL PARTY, WHICH TIES HIM
DEFINITELY INTO IRON AUSTRALIAN PARTY VOTING DIS-
CIPLINE. THAT MADE BALANCE 28 ALP, 30 LIBERAL-COUNTRY, AND
ONE INDEPENDENT, EFFECTIVELY MAKING VOTE OF MAVERICK SEN-
ATOR STEELE HALL ESSENTIALLY IRRELEVANT. HOWEVER, ON FEB 11
SENATOR WITHERS, OPPOSITION LEADER IN SENATE, ANNOUNCED THAT
A VOTING QTE PAIR END QTE HAD BEEN NEGOTIATED BETWEEN GOVERN-
MENT AND OPPOSITION COVERING NSW SENATE SEAT VACATED BY SEN-
ATOR MURPHY. WITHERS SAID PAIR HAD BEEN GRANTED IN ACCORD-
ANCE WITH LONG-STANDING TRADITION THAT QTE NO POLITICA GROUP
SHOULD TAKE ADVANTAGE OF AN UNUSUAL SITUATION BROUGHT ABOUT BY
EITHER DEATH OR RESIGNATION. END QTE THIS ACTION CHANGED
BALANCE TO 28 ALP, 29 LIBERAL-COUNTRY, AND ONE INDEPENDENT
(SENATOR HALL). PRIOR TO GRANTING OF PAIR, OPPOSITION HAD
CLEAR MAJORITY IN SENATE; IT NOW HAS ONLY BLOCKING POSITION
BUT CAN DEFEAT ANY GOVERNMENT LEGISLATION, EVEN IF SENATOR
HALL VOTES WITH GOVERNMENT.

IN SENATE FEB 13, MOTION PASSED UNANIMOUSLY RECOMMENDING
THAT STATE GOVERNMENTS FILL VACANCIES CREATED BY DEATH OR
RESIGNATION WITH FIGURE OF SAME PARTY AS FORMER SEANTOR.

4. REASONS BEHIND MURPHY RESIGNATION STILL UNCLEAR, THOUGH
MHR WILLIAM C. WENTWORTH (LIBERAL, NSW) ALLEGED IN PARLIAMENT
FEB 13 THAT MURPHY RESIGNED IN HASTE BEOFRE HIS CONCEAL-
MENT OF FILES FROM POST OFFICE AND DEPT OF TRADE REVEALED.
HE SAID, WITHOUT FURTHER CLARIFICATION, THAT ABUSE OF FED-
ERAL OFFICE AND MISDEEDS IN A PUBLIC PLACE SHOULD BE EXPOSED.
AT THIS POINT WE DO NOT KNOW WHAT ALL THIS MEANS, AND PROB-
ABLY ONLY WAY TO FIND OUT WOULD BE TO APPROACH WENTWORTH,
WHICH WOULD BE HIGHLY INAPPROPRIATE.
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5. COMMENT: WHOLE SEQUENCE OF EVENTS SINCE FEB 9 SHOWS ALL
CONCERNED TO DISADVANTAGE. PRIME MINISTER HAD CLEARLY NOT
ANTICIPATED THAT PREMIER LEWIS OF NSW MIGHT ARRANGE TO APPOINT
LIBERAL TO SENATE VACANCY. OPPOSITION LEADER SNEDDEN, WHO
HAS PUBLICLY RECOMMENDED APPOINTMENT OF LABOR SENATOR, OUT OF
RESPECT FOR CUSTOM ESTABLISHED SINCE 1949, HAS BEEN EQUALLY
PUBLICLY IGNORED BY LIVERAL PREMIER OF NSW. CONVENTIONAL

WISDOM AMONG MOST POLITICIANS IS THAT LEWIS IS WRONG, AS ACCIDENTAL DEATH OF LIBERAL-COUNTRY SENATOR OR SENATORS IN LABOR-CONTROLLED STATES OF SOUTH AUSTRALIA AND TASMANIA WOULD LEAD TO APPOINTMENT OF LABOR SENATORS AND TOTAL CHANGE IN POLITICAL SITUATION. HOWEVER, ALL COMMENTATORS AGREE THAT LEWIS WILL ALSO BE DAMAGED IF HE NOW BACKS DOWN AND APPOINTS LABOR REPLACEMENT FOR MURPHY.

6. WHOLE EPISODE HAS HAD DIRECT IMPACT IN PARLIAMENT, INCREASING TENSION AND SHORTENING TEMPER. TONE OF DEBATE HAS FURTHER DETERIORATED, IN SITUATION WHERE ELECTIONS THIS YEAR CONTINUE TO BE A POSSIBILITY.
HARROP

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